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Why I Would Not Vote for Bobby Kennedy

The New York Senatorial race has been a dull show because there is little difference between Keating and Kennedy. A decade ago both belonged to the fervently witch-hunting sector of the political spectrum. With the change in atmosphere, both have moved toward the moderate center in domestic affairs. In foreign policy, they are about equally belligerent, notably on Cuba, where Keating was stirring up a missile crisis before there was evidence that the missiles had arrived. Both are for civil rights but both reacted the same way at the point where Negro aspiration clashed with white backlash, i.e. on the school busing issue. There they both begged the question by saying they were against *long-distance* busing, something the New York City Board of Education had not proposed.

The Best Argument for Keating

From the standpoint of justice for the Negro, Keating offers one advantage over Kennedy. Keating is one of those Republicans, like the liberal Lindsay, who gave the Negro leverage to obtain à stronger Civil Rights Act than the Kennedys desired or thought it politic to ask. The Kennedy Administration originally wanted no new civil rights legislation at all. When a House Judiciary subcommittee drafted a strong measure, the Attorney General tried to water it down. He did not want stronger powers to enforce 14th Amendment rights and he was at best lukewarm about a Fair Employment Practices Commission. Liberal Republicans made it possible to win from the House and put through the Senate a strong Civil Rights Act this year. It was this which led Clarence Mitchell of the NAACP to come out for Keating in the *Afro-American* (Sept. 8). Though he praised Kennedy's record, too, Mitchell said Keating was "one of the men who must help to save the Republican Party from becoming a haven for advocates of white supremacy and racial discord."

The best argument for Kennedy is one that is put forward quietly in Washington, quietly that is in the hope that it won't be overheard by Lyndon Johnson. It is that Kennedy in the Senate would provide an alternative center of power and opposition when an expected landslide gives LBJ a mandate so sweeping there will be little check on his power. But there are any number of Democratic Senators whose liberalism has been demonstrated over the years, and who will naturally move into opposition on many issues. Any one of them would be a more dependable focus of opposition than Bobby Kennedy. A vote for Kennedy is not just a vote for a U.S. Senator. He acts as if the country owes him the White House. Two years ago his authorized biography (by Thompson and Myers) already urged the country after 1968 "to forget their fears of dynasty and stake their hopes on Robert Francis Kennedy."

The U.S. and the Cairo Parley

The Cairo conference of the non-aligned nations has been played in the U.S. press as a defeat for Communist China. It is true that the "peaceful co-existence" group won out over those who followed the Peking line. But look more closely at the two main recommendations affecting the U.S. One called for peaceful co-existence between the U.S. and Cuba. The other called for the resumption of the Geneva Conference to end the Vietnamese war by negotiation. The U.S. is opposed to both. Cuba has been asking for months to negotiate differences with the U.S.; it is we who have been rejecting them. China, for all its fierce rhetoric, has been supporting Ho Chi-minh of North Vietnam and Sihanouk of Cambodia in asking for peace talks in Vietnam. It is we who say no.

The AP (Baltimore Sun, Oct. 12) said the conference had rejected "Peking's violent approach to international life." Insofar as Cuba and Vietnam is concerned, this is also ours. The conference, in asking us to lift our economic blockade of Cuba, declared that "foreign pressure and intervention to impose changes in the political, economic and social system," of another country are contrary to "the principles of international law and peaceful coexistence." This is embodied in both the UN and in the OAS Charters; we have subscribed to both but conform to neither in our relations with Cuba, which we hope to treat as we did Guatemala. The "revolutionary" powers do not say they are against peaceful co-existence. They say the U.S. will not permit it. Cuba is their best argument, and if we persist it is we who will bring the defeat of the moderates.

As Attorney General, Bobby Kennedy gathered an able team around him and set a standard in refreshing contrast to the low cast of characters which had run the place since Francis Biddle's day. Except for Wm. Rogers, who made an honorable record in Ike's final years, there had never been a more depressing succession of Attorneys General; the worst was Keating's campaign manager, Herbert Brownell, who abused the office shamefully in his "twenty years of treason" campaign against the Democrats. But in anti-trust, Kennedy's record was not as good as that made under Eisenhower. Where FDR and Truman made monopoly a major concern, both Kennedys were anxious to prove themselves not hostile to big business. Bobby emphasized action against price-fixing —the easiest and politically safest aspect of anti-trust.

Kennedy's record is most disturbing on civil liberties. In one of his speeches (Nov. 12, 1962) on a favorite subject, counter-guerrilla operations, the Attorney General told a story of a brave young American prisoner of war in Korea who was asked by his Chinese captors what he thought of Gen. Marshall and insisted on terming him a great man

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The GOP's Involvement in the Billie Sol Estes Case—Freedom in Danger in Poland

Supreme Court Agrees to Hear Test of U.S. Iron Curtain Around Cuba

Last June the Supreme Court ruled in the Aptheker case (*378 U.S. 500*) that an individual's freedom to travel could not be restricted because of his political beliefs or associations. The ruling, however, fell short of guaranteeing absolutely the freedom to travel. It left open the question of whether the government may prohibit travel to specific geographic areas. The Court last week agreed to hear a case (*Zemel v the Secretary of State*) in which this is the central issue. Louis Zemel applied twice in 1962 for a passport for travel to Cuba and each time was refused. A three-judge U.S. District Court split 2 to 1 against his plea for validation. Circuit Judge Smith declared in his dissent that "the present statutes [the Passport Act of 1926 and section 215 of the Immigration and Nationality Act] do not authorize area restrictions on travel and that the Executive cannot restrict the right to travel without specific statutory authority." The Supreme Court might go further, as it has been asked to do and declare area restrictions on the right to travel a violation of the Firts Amendment.

The GOP and The Estes Case

The Republicans can no longer claim a monopoly on virtue in this election. The House Government Operations report on Billie Sol Estes reveals that there were no less than four abortive investigations of Estes under the Eisenhower Administrations. One in 1953 showed that grain storage facilities which Estes built with government loans were being used to house Mexican workers (*braceros*) and were structurally incapable of holding grain. Another in 1958 found that Estes by fraudulent claims was planting about ten times more cotton than he was entitled to plant under the cotton allotment program. Most suspicious is the fact that James McConnell, an Assistant Secretary of Agriculture from 1955 to '56, served as a consultant to Secretary Benson on grain storage matters at the same time he was a director of Commercial Solvents Corporation (from 1957 to 1959). Commercial Solvents had a direct interest in Estes' grain storage contracts with the government because he had assigned his revenues from the contracts to the company.

Freedom in Poland

Everyone who has been to Poland (as I have) and has been impressed with its intellectual freedom will deplore the arrest of writer, Melchior Wankowic, two days after he participated in a meeting between Polish authors and the Polish government. Last March Wankowic was one of 34 Polish writers who signed a manifesto charging censorship. This leaked abroad. The very fact that such a protest—impossible in any other Soviet state including Yugoslavia—could have occurred reflected credit on Poland. Yet he now faces three years in jail under a law making it a crime to "harm the interests of the State" or "lower the prestige" of the State's authorities. Such laws would at once be attacked as barbarous in the "bourgeois West." In 1919 Lenin boasted that freedom of the press had ceased "to be a hypocrisy, because the printing presses and the paper are taken away from the bourgeoisie." They have since been taken away, too, from the best minds of the proletariat and the intelligentsia. Marx and Engels never dreamed that socialism would bring censorship, and Poland since Golmulka has been the bright spot in a slow dawn of freedom within the Soviet zone. We hope the Wankowic prosecution will be abandoned.

Protest Few Heard on MLF

"The indications are that we are rushing headlong into a new military arrangement of doubtful strategic value and with severe political drawbacks. Originally we were told that MLF would be a genuine NATO operation which would strengthen that key alliance. But now it appears that virtually every NATO country—with the sole exception of West Germany—wants none of it. Yet nevertheless some zealots in the State Department keep pushing ahead toward a treaty which almost no one in the Congress or the country knows anything about, and which will make it even harder for our negotiators in Geneva to get the Soviet Union to agree to an all-important pact prohibiting the dissemination of nuclear weapons to nations that do not now have them.

"If we are to believe the newspaper reports, this new German-American joint nuclear venture may be accomplished fact by the time Congress comes back in January. It seems to me that the State Department owes it to the Congress and the American people to slow this thing down and let us see what it is we are getting into. The MLF idea has been kicking around for years. Surely a proposal of such great military and political importance can wait a few more months until the Congress can take a good, hard look at it."

—*Sen. Clark* (D., Pa.), *press release, Oct. 7.*

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Little Noticed Measure May Provide Focal Point for Liberal Push in Next Congress

Clark Submits Economic Planning Bill for Full Employment

Since the debate over the Employment Act of 1946, few men in Congress have seriously tackled the problem of full employment. On one of the last days of the 88th Congress (Oct. 1), Sen. Clark (*D., Pa.*) introduced legislation that promises to do so. It is the culmination of several months of hearings in his Labor Subcommittee on Employment and Manpower. We criticized that committee's initial report because it failed to speak out boldly for economic planning. The Clark bill makes no such evasion. Where President Johnson has offered a grab-bag approach to poverty, the Clark bill provides for a coordinated, frontal assault. Senators Morse and Nelson have already joined Clark as co-sponsors, and in the not unlikely event of a Democratic landslide in November, the bill should become the center for a left opposition to the Administration.

Where They Left Off in 1945

It attempts what Senator Murray's Full Employment Bill of 1945 failed to achieve. That bill was emasculated by a series of legislative compromises. "Full" was taken from its title and "federal responsibility for full employment" was taken from the body. Most important, the planning mechanism, a National Employment and Production Budget, was eliminated. In its place was substituted the innocuous annual Economic Report of the President. Today we are burdened with those compromises. We face not only the problem of converting an arms race economy to a peace economy but of doing it with millions already unemployed or underemployed. The retreats which defeated the aims of the Murray Bill must be erased.

The heart of the Clark bill is the requirement that the President submit to Congress at the beginning of each year a National Production and Employment Budget and a Full Employment Federal Budget. The first would identify the gap between where the economy is and where it must be in order to achieve full employment. The second would require short and long-range proposals needed to close that gap. Together they would establish federal responsibility for full employment and would permit no obfuscation of the amount of effort needed to achieve it. Any deviation from that goal in favor of price stability or balance of payments' equilibrium would have to be justified in the Budget. Congress would be required to debate the Budget as a whole and by doing so would become an institution for determining economic policy rather than a meeting place for petty accountants. Not least important, the bill would define full employment as a level of unemployment no greater than 3% after 1968 and no greater than 4% until then. This would reverse the current practice of adjusting the definition to the state of the economy.

Federal planning and an expansion of the public sector of our economy are long overdue. Even enlightened businessmen are beginning to doubt that private capital can cure our economic ills (*see box below*). Clark told the Senate that planning has virtually eliminated the business cycle in Europe and reduced unemployment in many countries to less than 2% (*see box above*). Here it is put officially at 5½% but the Clark committee report estimated it to be as high as 9% when one includes the underemployed and those who stopped looking for work. This is a travesty and in large part it is the result of our military expenditures. "Throughout the Cold War," said Clark, "we have been deceived into believing that because the Federal Budget has been large, it has been pumping life into our economy."

Where Europe Is Ahead of Us

"Employment policy has not meant the same thing in Western Europe and the United States in recent years. The employment goal has been set high in Europe and the success in achieving the goal has been impressive. Unemployment in the United States has not been below 5 percent since 1957. Contrast this with [the fact] that not a single [major] European country had an unemployment rate as high as 4 percent in 1961 or 1962. Only Italy has experienced unemployment in excess of 4 percent since 1955. In the last half-dozen years or so, France, West Germany, the Netherlands, Sweden, and the United Kingdom have regularly been operating at unemployment rates well below 3 percent and usually below 2 percent."

—"Full Employment As A Policy Goal," by Prof. R. A. Gordon, economist at U. of Calif., Berkeley (abr.).

Clark Quotes A Banker's Speech on the Need for Lower Rates of Profit

"What seems to be happening is that in an evolutionary way scientific processes, not just automation, are bringing the American economy to a point where smaller amounts of capital are producing larger outputs of consumables. In order that a relatively free market economy may adjust to this structural change, consumption expenditures as compared with saving must grow proportionally larger. In the absence of a steady stream of exciting new products, there is little chance of this just happening when needed. For a time, perhaps, the excessiveness of saving is disguised, as funds chase each other in the stock market and find outlet overseas. But if consumer spending stay at the same percentage of income, saving remains redundant and business activity is sluggish. . . .

"Unfortunately, it is particularly difficult for businessmen to see this problem in true perspective. First, they can scarcely admit to themselves the need for ever-larger Government spending and conversely smaller inputs of capital. Instead, they ask for larger profits, greater permissible allowances for depreciation reserves. . . .

"Formerly, high profits were needed to lure cash from current consumption into necessary investment in productive facilities. Now more current consumption is in order. Formerly, high profits seemed only just compensation for the tremendous risks undertaken. . . . Now depressions are 'against the law' and even recessions do not always check yearly advances in GNP. . . . Formerly, corporations did not generate as much of their investment funds internally. They had to show good profits to get needed money for expansion. Now huge depreciation allowances permit corporations to generate their own funds. It is clear to sophisticated businessmen that profits up to former standards are inappropriate at this time. . . ."

—John R. Bunting, vice president of the Federal Reserve Bank of Philadelphia, "What's Ahead for Business?", in Atlantic Monthly for June, 1964 and Cong Rec., Oct. 1.

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Bobby Kennedy's Biggest Blindspot Is Civil Liberties

(Continued from Page One)

though each time he was knocked down for saying so. Bobby did not add, of course, that while this POW was being beaten, he went to work for McCarthy though McCarthy had just trampled Marshall on the Senate floor, calling him an officer whose decisions invariably served "the world policy of the Kremlin." Kennedy did not quit McCarthy until he picked Bobby's rival Roy Cohn, as general counsel. As recently as four years ago, in his book, *The Enemy Within*, Bobby's only criticism of McCarthy was that he didn't do enough research and relied too much on Cohn and Schine! As chief counsel of the McClellan rackets committee, though Bobby helped clean a lot of hoodlums and corrupt dictators out of the labor movement, he acted much as had McCarthy, equating invocation of the Fifth amendment with confession of guilt and treating a Congressional investigation as a pillory in which people he disliked could be held up to public scorn.

A Lost Opportunity

Bobby would like this record to be forgotten, but as Attorney General he lost his chance to dispel the misgiving it arouses. The prosecutions of Roy Cohn and Hoffa were carried out in the spirit of personal vendettas. His sweeping anti-crime legislation evoked opposition from the American Civil Liberties Union. He supported a House Un-American Activities Committee bill which would have authorized hearings without confrontation or cross-examination in the industrial security program. He supported the bill to overturn that part of the 1956 Supreme Court decision in the *Yates* case which narrowly interpreted the word "organize" in the Smith Act. The most conspicuous evidence of how little he had learned since the McCarthy days was his sponsorship of wire-tap legislation. The *New Republic* (Sept. 19) in endorsing Kennedy for Senator said he had had a change of heart and that his new bill would forbid the FBI to tap wires without court order and allow the Attorney General on his own to authorize wiretapping "only when the national security is patently involved." The editors had better look again. The FBI could be authorized by the Attorney General to tap wires without court order in a wide variety of so-called national security cases, including suspicion of "seditious conspiracy" and subversive activities. The McCarthy period and the FBI's record shows how loosely these categories can be interpreted and how easily they can be abused. Bobby quoted Jefferson's "eternal hostility against every form of tyranny over the mind of man" as the frontispiece to *The Enemy Within*. The record hardly indicates irresistible Jeffersonian impulses.

Equally grave are the fears Bobby stirs in the field of foreign policy. Anti-guerrilla activity has been one of his enthusiasms and he was among the planners of the Vietnamese adventure, now so dangerously near collapse into a wider war. He is reputed to have opposed more extreme measures in the Cuban missile crisis but there is no evidence that he would favor a more thoughtful and humane policy toward Cuba or Communist China. To start him on the road to the Presidency without knowing where he stands on these possibly life and death matters is a gamble I would not take.

Improving the Kennedy "Image"

An example of "improving one's image" turns up in Robert F. Kennedy's newly published book, "The Pursuit of Justice." He relates that in 1938 his father was appointed Ambassador to England "and there we saw the approaching war. . . . We went to Germany. The sight then of Nazism and storm troopers will never allow any of us to forget the price of dissolution and tyranny. Our eldest brother, Joe, was in Spain during part of the Civil War. . . ." The impression is of a family stirred by the dangers of Fascism. With all due respect to the memory of a man who died as a flier in World War II, Joe, Jr., did not visit Spain until three months after Franco won* a victory to which his father contributed. Hugh Thomas in his recent history of the Spanish Civil War recalls that an angry cable of protest from Ambassador Kennedy was instrumental in persuading FDR not to lift the Spanish arms embargo after Secretary Hull had agreed with Senator Nye to recommend it. Thus ended the last hope of saving the Spanish Republic. As late as the spring of 1941 the elder Kennedy was for appeasement, warning that, "We cannot divert the tides of mighty revolution now sweeping Asia and Europe." Bobby was 12 in 1938 and cannot be blamed for what happened then. It is the distortion of the record which is objectionable.

** Vivian Cadden's summary in Redbook last February of the privately published Kennedy family memoir, "Joe As We Knew Him."*

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